

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In the Matter of:

Chapter 13

Osieczonek, James Stephen & Karen Ruth

Case No. 13-23443-mdm

Debtor(s).

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

James & Karen Osieczonek (*Name of proponent of modification*) has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court

517 E. Wisconsin Avenue

Room 126

Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Angela M. Soltis

Muskego Law Group

PO Box 656

Muskego, WI 53150

If you, or your attorney, do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

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| Angela M. Soltis Muskego Law Group PO Box 656 Muskego, WI 53150 262-679-5395 262-679-5394 |
|--|

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

- ☒ the Debtor;
☐ the Chapter 13 Trustee (post-confirmation modifications only);
☐ the holder of an unsecured claim (post-confirmation modifications only)

Name: _____

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

- ☒ A. post-confirmation;
☐ B. pre-confirmation (Select i. or ii);
☐ i. Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
☐ ii. Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)).
The creditors affected are: (Enter creditors)

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:
skip payments due to a temporary loss of wages

4. The reason(s) for the modification is/are:
motorcycle accident

5. Select A. or B.

☒ A. The Chapter 13 Plan confirmed or modified on 10/25/13 is modified as follows:
No payments due for the months of October, November and December 2013, with payments resuming in January 2014.

☐ B. The unconfirmed Chapter 13 Plan dated _____ is modified as follows:
(State the specific language of the modification)

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

CERTIFICATION

Complete one of the certifications below:

1. I/We, _____, the debtor(s) in this case, certify that I/we have reviewed the modification to the Chapter 13 plan proposed in this motion, and I/we authorize my/our attorney to file it with the court.

| | |
|-----------------|---------------|
| _____ Debtor | _____ Date |
| _____ Debtor | _____ Date |

OR

2. I Angela M. Soltis, attorney for debtor(s) James & Karen Osieczonek, certify that I have reviewed the modification proposed above with the debtor(s), and that the debtor(s) has/have authorized me to file it with the court.

| | |
|--|---------------------------------|
| <u>Angela M. Soltis</u> Counsel for the debtor(s) | <u>October 30, 2013</u> Date |
|--|---------------------------------|

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

| | |
|--|---|
| Dated: <u>October 30, 2013</u> at City, State. <u>Muskego, Wisconsin</u> | Attorneys for <u>Muskego Law Group</u> By: <u>Angela M. Soltis</u> Bar No. <u>1063963</u> |
|--|---|

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

**In re:
James Stephen Osieczonek &
Karen Ruth Osieczonek**

Case No. 13-23443-mdm

CERTIFICATE OF SERVICE

Angela M. Soltis, counsel for the Debtors, does hereby certify that a copy of the Notice and Request to Modify Chapter 13 Plan were electronically filed with the Court via the CM/ECF system, and duly served upon the following parties:

| | |
|---|---|
| Mary B. Grossman | ecf@chapter13milwaukee.com |
| Office of the U. S. Trustee | ustpreion11.mi.ecf@usdoj.gov |
| Jay J. Pitner on behalf of Creditor WELLS FARGO BANK, N.A., | bknotices@gray-law.com ; bknotice@gmail.com |
| Americollect | ebn@americollect.com |
| Cach Llc/Square Two Financial | ebn@squaretwofinancial.com |
| Collection Associates, LTD | nancy@collectionassociates.net |
| Falls Collection Svc | admin@fcs2collect.com |
| Financial Control Solutions | admin@fcs2collect.com |
| Landmark Credit Union | bankruptcy@landmarkcu.com |
| Osi Collect | bankruptcydepartment@ncogroup.com |

She further certifies that the following parties were served a copy via the United States Postal Service on this date: see attached matrix.

Dated: October 30, 2013

/s/ Angela M. Soltis
Angela M. Soltis, Of Counsel 1063963
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James & Karen Osieczonek
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Waukesha, WI 53189

Apelles
PO Box 1197
Slinger, WI 53086

Baytree National Bank
9 Market Square Ct
Lake Forest, IL 60045

Cardiology Associates of
Waukesha
721 American Ave, #403
Waukesha, WI 53188

Collection Experts
1305 N. Barker Rd, Ste 8
Brookfield, WI 53045

Dermopath Diagnostics
Wisconsin
Troy & Associates
PO Box 530275
Atlanta, GA 30353

Emergency Medical
Associates
6400 Industrial Loop
Glendale, WI 53219

HSBC/Menards
Attn: Bankruptcy
PO Box 5263
Carol Stream, IL 60197

Heuer Law Offices
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Milwaukee, WI 53227

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Attorney at Law
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LMG, Inc/
TMJ Treatment Centers
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Wauwatosa, WI 53213

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1111 Delafield St, Ste 312
Waukesha, WI 53188

Oac
PO Box 371100
Milwaukee, WI 53237

Orthopaedic Associates
PO Box 554
Waukesha, WI 53187

PRM
741 N Grand Ave, Ste 301
Waukesha, WI 53187

Padmaja Doniparthi, MD, SC
Bin 88050
Milwaukee, WI 53288

Phillips & Cohen Associates
Mail Stop 622
1002 Justison Street
Wilmington, DE 19801

Pro Health Care Medical
Associates
PO Box 1639
Waukesha, WI 53187

ProHealth Care
PO Box 3475
Toledo, OH 43607

Professional Recovery
Services of NJ IN
PO Box 1880
Voorhees, NJ 08043

Prohealth Care Medical
Associates
PO Box 649
Waukesha, WI 53187

Radiology Waukesha SC
PO Box 1790
Brookfield, WI 53008

Siding Unlimited, LLC
665 Larry Court
Waukesha, WI 53186

State Collection Service, Inc
2509 Stoughton Road
Madison, WI 53716

Tnb-Visa (TV)/Target
c/o Financial & Retail
Services
Mailstop BV
PO Box 9475
Minneapolis, MN 55440

Tri State Adjustments
20720 Watertown Road #108
Waukesha, WI 53186

US Bank
PO Box 5229
Cincinnati, OH 45201

Waukesha Memorial
725 American Ave
Waukesha, WI 53188

Wells Fargo Hm Mortgage
PO Box 10335
Des Moines, IA 50306

Womans Health Care, SC
721 American Avenue,
Ste 304
Waukesha, WI 53188